

AMENDED IN SENATE JUNE 19, 2001

AMENDED IN SENATE MAY 22, 2001

SENATE BILL

No. 1055

Introduced by Senator Morrow

February 23, 2001

An act to amend Section 2772 of the Public Utilities Code, relating to public utilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1055, as amended, Morrow. Public Utilities Commission: customer priorities: ~~health facilities~~.

(1) Existing law requires the Public Utilities Commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, *and among the uses of electricity or gas by those customers*. ~~Existing law requires the commission to include specified considerations when establishing these priorities~~ *In establishing those priorities, the commission is required, among other things, to identify those customers and uses that provide the most important public benefits and serve the greatest public need in descending order of priority.*

This bill would require the commission to *also* include as a consideration when establishing these priorities a determination ~~that certain health facilities shall have access to uninterruptible supplies of electricity~~ *of unacceptable jeopardy or imminent danger to public health and safety that creates substantial likelihood of severe health risk requiring medical attention*. The bill would also require the commission

to consider the effect of providing a high priority to some customers on nonpriority customers.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2772 of the Public Utilities Code is
2 amended to read:

3 2772. In establishing the priorities pursuant to Section 2771,
4 the commission shall include, but not be limited to, a consideration
5 of all the following:

6 (a) A determination of the customers and uses of electricity and
7 gas, in descending order of priority, that provide the most
8 important public benefits and serve the greatest public need.

9 (b) A determination of the customers and uses of electricity and
10 gas that are not included under subdivision (a).

11 (c) A determination of the economic, social, and other effects
12 of a temporary discontinuance in electrical or gas service to the
13 customers or for the uses determined in accordance with
14 subdivision (a) or (b).

15 (d) *A determination of unacceptable jeopardy or imminent*
16 *danger to public health and safety that creates substantial*
17 *likelihood of severe health risk requiring medical attention.*

18 (e) Any curtailment or allocation rules, orders, or regulations
19 issued by any agency of the federal government.

20 ~~(e) A determination that any nursing facility or skilled nursing~~
21 ~~facility, as defined pursuant to Section 1250 of the Health and~~
22 ~~Safety Code shall have access to uninterruptible supplies of~~
23 ~~electricity.~~

24 (f) *The commission shall also consider the effect of providing*
25 *a high priority to some customers on those customers who do not*
26 *receive a high priority.*

27 SEC. 2. This act is an urgency statute necessary for the
28 immediate preservation of the public peace, health, or safety
29 within the meaning of Article IV of the Constitution and shall go
30 into immediate effect. The facts constituting the necessity are:

1 In order to immediately protect *the public's health and safety*,
2 *including, but not limited to*, the elderly and disabled residents who
3 reside in the ~~states~~ *state's* 1,200 skilled nursing facilities and who
4 depend on the ~~facility's ability~~ *ability of those facilities* to provide
5 quality care in a safe, low-stress environment, and to maintain
6 temperature control, lighting, infection control, and the use of
7 technologically advanced medical equipment, it is necessary that
8 this act take effect immediately.

